

[HOME PAGE](#) / [LAWS](#) / ELECTRICITY ACT, 1998, S.O. 1998, C. 15, SCHED. A



[Français](#)

Electricity Act, 1998

S.O. 1998, CHAPTER 15
SCHEDULE A

Consolidation Period: From May 8, 2018 to the [e-Laws currency date](#).

Last amendment: [2018, c. 8, Sched. 10](#).

Legislative History: [+]

CONTENTS [-]

PART I GENERAL

1. Purposes
2. Interpretation
3. Municipal Act, 2001
- 3.1 Minister's advisory committee

PART II INDEPENDENT ELECTRICITY SYSTEM OPERATOR

4. Definitions
5. Amalgamation of IESO and OPA
6. Objects
7. Dissolution
8. Not Crown agent
9. Obligation to provide information in French
10. Board of directors
11. Chief executive officer
12. Director's duties
13. Conflict of interest
14. Board may establish policies, rules, etc.
15. Delegation of board's powers
16. Panels
17. Staff and assistance re panels

<u>18.</u>	Stakeholder input
<u>19.</u>	Liability
<u>20.</u>	Confidential information relating to market participants
<u>21.</u>	Liability of directors under the Employment Standards Act, 2000
<u>22.</u>	By-laws
<u>23.</u>	Province may purchase securities, etc.
<u>24.</u>	Business plan
<u>25.</u>	Review of requirements and fees
<u>25.1</u>	Fees
<u>25.2</u>	Auditor
<u>25.3</u>	Annual report
<u>25.4</u>	Other reports
<u>25.5</u>	Information to Board, etc.
<u>25.6</u>	Application of corporations statutes
<u>25.7</u>	Statutory Powers Procedure Act

TRANSITIONAL MATTERS

<u>25.8</u>	Transition, corporate matters
<u>25.9</u>	Transition, employment matters
<u>25.10</u>	Transition, governance and other matters

PART II.2

PLANNING, PROCUREMENT AND PRICING

<u>25.29</u>	Long-term energy plans
<u>25.30</u>	Implementation directives
<u>25.31</u>	Implementation plans
<u>25.32</u>	Procurement contracts
<u>25.32.1</u>	Non-application of Environmental Assessment Act
<u>25.33</u>	Electricity pricing to reflect costs

PART III

THE ELECTRICITY MARKETS

ACCESS TO TRANSMISSION AND DISTRIBUTION SYSTEMS

<u>25.36</u>	Mandatory connection to transmission or distribution system
<u>25.37</u>	Information re connections
<u>26.</u>	Non-discriminatory access
<u>27.</u>	Use of IESO-controlled grid
<u>28.</u>	Distributor's obligation to connect
<u>28.1</u>	Manner of connection
<u>29.</u>	Distributor's obligation to sell electricity
<u>29.1</u>	Conservation measures
<u>30.</u>	Allocation during emergencies, etc.
<u>30.1</u>	Security criteria

- 31. Termination of service
- 31. Termination of service
- 31.1 Emergency termination of service

MARKET RULES

- 32. Market rules
- 33. Amendment of market rules
- 34. Urgent amendments
- 35. Other reviews of market rules
- 35.1 Statutory powers of decision
- 36. Appeals from orders
- 36.1 Exemptions from market rules

RELIABILITY STANDARDS

- 36.2 Reliability standards
- 36.3 Appeals from sanction orders
- 36.4 Statutory powers of decision

INVESTIGATIONS

- 37. Investigation by Market Surveillance Panel
- 37.1 Review of materials by Panel
- 37.2 No obstruction
- 37.3 Confidentiality

ABUSE OF MARKET POWER

- 38. Abuse of market power

EMERGENCY PLANS

- 39. Emergency plans

POWERS OF ENTRY

- 40. Powers of entry

PROPERTY INTERESTS

- 41. Public streets and highways
- 42. Telecommunications services
- 42.1 Easement: generators, transmitters and distributors
- 43. Easement over lands sold for taxes
- 43.1 Easement: municipal public utilities
- 44. Ownership of fixtures
- 45. Exemption from seizure
- 46. Unregistered rights
- 46.1 Transition
- 46.2 Toronto land used by Ontario Hydro
- 47. Affixing signs, etc.

PART IV
HYDRO ONE INC.

<u>48.</u>	Objects of Hydro One Inc.
<u>48.1</u>	Statutory duties and restrictions
<u>48.2</u>	Restriction on share ownership
<u>48.3</u>	Office of the ombudsman
<u>49.</u>	Rights of the Minister
<u>50.</u>	Corporations authorized re Hydro One Inc.
<u>50.1</u>	Corporations and other entities and arrangements to hold securities, etc.
<u>50.2</u>	Right of the Minister re corporations and other entities and arrangements
<u>50.2.1</u>	Holding corporation
<u>50.3</u>	Proceeds of disposition
<u>51.</u>	Non-application, Financial Administration Act, s. 28
<u>52.</u>	Residual power of the Crown
<u>53.</u>	Regulations
<u>53.0.1</u>	Regulations, smart grid

PART IV.1

ONTARIO POWER GENERATION INC.

<u>53.1</u>	Objects of Ontario Power Generation Inc.
<u>53.2</u>	Rights of the Minister
<u>53.3</u>	Corporations to hold shares
<u>53.4</u>	Reporting requirements
<u>53.5</u>	Residual power of the Crown
<u>53.6</u>	Power to acquire land and property

PART IV.2

THE SMART METERING ENTITY

<u>53.7</u>	The Smart Metering Entity
<u>53.8</u>	Objects or nature of the business of the Smart Metering Entity
<u>53.9</u>	Status of the Smart Metering Entity
<u>53.10</u>	Powers of Smart Metering Entity corporation
<u>53.11</u>	Mandatory provisions in articles
<u>53.12</u>	Smart Metering Entity participation in partnerships, etc.
<u>53.13</u>	Reporting requirements
<u>53.14</u>	Collection of consumer information
<u>53.15</u>	Reciprocal obligations concerning information
<u>53.16</u>	Obligations of distributors, etc., re: installing meters
<u>53.18</u>	Prohibition re: discretionary metering activities
<u>53.19</u>	Procurement contracts, transition
<u>53.20</u>	Reimbursement of costs incurred by the Crown
<u>53.21</u>	Regulations

PART V

THE FINANCIAL CORPORATION

<u>54.</u>	Ontario Hydro Financial Corporation
------------	-------------------------------------

- 55. Objects and character
- 56. Crown agent
- 58. Board of directors
- 59. Chief executive officer
- 60. Delegation
- 61. By-laws
- 62. Use of revenues
- 63. Special purpose account
- 65. Limitation on borrowing
- 66. Authorization to borrow
- 67. Province may purchase securities, etc.
- 68. Province may raise funds
- 69. Guarantee and indemnity
- 70. Delegation, order under ss. 66 to 69
- 71. Fees payable to Minister of Finance
- 72. Subsidiaries
- 73. Entities established for effecting financing
- 74. Directives
- 75. Evidence of authority
- 76. Employees
- 77. Liability
- 78. Waiver of immunity
- 79. Judgments against Financial Corporation
- 80. Audits
- 81. Annual report
- 81.1 Tabling of annual report
- 82. Other reports
- 83. Application of corporations statutes
- 84. Tax exemption
- 84.1 Repeal, Part V

PART V.1

DEBT RETIREMENT CHARGE

THE DEBT RETIREMENT CHARGE

- 85. Charges to retire debt
- 85.1 Duty to meter consumption
- 85.2 Exemptions

REGISTRATION

- 85.3 Collectors of debt retirement charge
- 85.4 Registration of self-generating users

ASSESSMENT AND REASSESSMENT OF AMOUNTS OWING

<u>85.5</u>	Assessment payable by collector
<u>85.6</u>	Administrative penalties, collectors
<u>85.7</u>	Assessments payable by users
<u>85.8</u>	Administrative penalties, users
<u>85.9</u>	Administrative penalty, self-generating user
<u>85.10</u>	Liability of corporate directors
<u>85.11</u>	Assessment of interest payable
<u>85.12</u>	Notice of assessment
<u>85.13</u>	Effect of information and returns

PAYMENTS, REFUNDS AND REBATES

<u>85.14</u>	Payment of assessed amounts
<u>85.15</u>	Refunds and rebates
<u>85.16</u>	Refund of overpayment

OBJECTIONS AND APPEALS

<u>85.17</u>	Objections and appeals
--------------	------------------------

COLLECTION OF AMOUNTS OWING

<u>85.18</u>	Funds held in trust
<u>85.19</u>	Method of collection

OFFENCES

<u>85.20</u>	Offences
<u>85.21</u>	Offence, directors of a corporation
<u>85.22</u>	Offence, confidentiality
<u>85.23</u>	Offences, false statements, etc., and fraud
<u>85.24</u>	General offence
<u>85.25</u>	Imprisonment, failure to pay fine
<u>85.26</u>	Limitation period and onus of proof
<u>85.27</u>	Payment of fines

ADMINISTRATION

<u>85.28</u>	Inspection
<u>85.29</u>	Confidentiality
<u>85.30</u>	Methods of giving notice
<u>85.31</u>	Proof of compliance
<u>85.32</u>	Evidence re collectors
<u>85.33</u>	Evidence re other documents
<u>85.34</u>	Affidavits, etc.
<u>85.35</u>	Forms
<u>86.</u>	Regulations, Parts V and V.I
<u>87.</u>	Repeal

PART VI
SPECIAL PAYMENTS

<u>88.</u>	Definitions, Part VI
<u>89.</u>	Payments in lieu of federal corporate tax
<u>90.</u>	Payments in lieu of provincial corporate tax
<u>91.</u>	Other payments
<u>91.1</u>	Allocation of Federal tax
<u>91.2</u>	Payment to Financial Corporation
<u>92.</u>	Payments in lieu of additional municipal and school taxes
<u>92.1</u>	Tax and charges on hydro-electric stations
<u>93.</u>	Municipal electricity utilities
<u>94.</u>	Municipal electricity property: transfer tax
<u>95.</u>	Application of Corporations Tax Act
<u>95.1</u>	Order to remit, Financial Corporation
<u>96.</u>	Regulations, Part VI

PART VII
PENSION PLANS

<u>97.</u>	Interpretation, Part VII
<u>98.</u>	Financial Corporation Pension Plan
<u>99.</u>	Employer contributions to FCPP
<u>100.</u>	Administrative costs of FCPP
<u>101.</u>	Additional pension plans of Financial Corporation
<u>102.</u>	Successor pension plans
<u>103.</u>	Members of successor plans
<u>104.</u>	Employer contributions to successor plans
<u>104.1</u>	Participation by affiliates in successor pension plans
<u>105.</u>	Administrative costs of successor plans
<u>106.</u>	Additional pension plans of successor employers
<u>107.</u>	Reciprocal transfer agreements
<u>108.</u>	F CPP membership temporarily extended
<u>109.</u>	Employer contributions re temporary members
<u>110.</u>	Subsidiary to act as agent of Financial Corporation
<u>111.</u>	Transfer agreements for successor plans
<u>112.</u>	Transfer of benefits to successor plans

PART VIII
ELECTRICAL SAFETY

<u>112.1</u>	Definitions
<u>113.</u>	Electrical Safety
<u>113.0.1</u>	Prohibitions
<u>113.1</u>	Director
<u>113.2</u>	Authorization
<u>113.3</u>	Notice of proposal

<u>113.4</u>	Hearing
<u>113.5</u>	Provisional suspension or refusal to renew if safety involved
<u>113.6</u>	Default in payment
<u>113.7</u>	Opportunities before hearing
<u>113.8</u>	Recording of evidence
<u>113.9</u>	Conflict
<u>113.9</u>	Conflict
<u>113.10</u>	Appeal after hearing
<u>113.11</u>	Continuation of authorization
<u>113.12</u>	Compliance order
<u>113.12.1</u>	Definition
<u>113.13</u>	Inspections
<u>113.13.1</u>	Order to turn over or retain electrical product or device
<u>113.13.2</u>	Warrant to seize electrical product or device
	<u>RELEASE OR FORFEITURE OF ELECTRICAL PRODUCT OR DEVICE</u>
<u>113.13.3</u>	Application of section
<u>113.14</u>	Appointment of investigators
<u>113.14.1</u>	Search warrant
<u>113.14.2</u>	No warrant required in exigent circumstances
<u>113.14.3</u>	Seizure of things in plain view
<u>113.15</u>	Information confidential
<u>113.16</u>	Director's confirmation
<u>113.17</u>	Fees, etc.
<u>113.18</u>	Agreement to exercise Authority's powers
<u>113.19</u>	Liability
<u>113.20</u>	Offences
<u>113.21</u>	Conflict
<u>113.22</u>	Regulations

PART IX
REGULATIONS

<u>114.</u>	Regulations
-------------	-------------

PART IX.1
OWNERSHIP AND USE OF CORRIDOR LAND

INTERPRETATION

<u>114.1</u>	Definitions
	<u>OWNERSHIP AND USE</u>
<u>114.2</u>	Transfer of corridor land to the Crown
<u>114.3</u>	Effect of transfer to the Crown
<u>114.4</u>	Effect of transfer on leases, etc., affecting corridor land
<u>114.5</u>	Statutory right to use corridor land

<u>114.6</u>	Primacy of use for transmission or distribution system
<u>114.7</u>	Duty re use of corridor land
<u>114.8</u>	Directions re location of buildings, etc.
<u>114.9</u>	Relocation of buildings, etc.
<u>114.10</u>	Cessation of use for transmission system, etc.
<u>114.11</u>	Disposition of statutory right
<u>114.12</u>	Restriction on expropriation by holder of statutory right
<u>114.13</u>	Transfer of ownership by Crown to person with statutory right

GENERAL

<u>114.14</u>	Duty to provide records, information and reports
<u>114.15</u>	Residual power of the Crown
<u>114.16</u>	Indemnity re corridor land
<u>114.17</u>	Delegation of powers and duties
<u>114.18</u>	Regulations

PART X

TRANSITION — ONTARIO HYDRO

<u>115.</u>	Definitions, Part X
<u>116.</u>	Transfer orders
<u>117.</u>	Notice of date
<u>118.</u>	Description of things transferred
<u>119.</u>	Approvals under the Power Corporation Act
<u>120.</u>	Officers and employees
<u>121.</u>	Payment for transfer
<u>122.</u>	Province may assume obligations in return for securities
<u>123.</u>	Effective date of transfer
<u>124.</u>	Statements in registered documents
<u>125.</u>	Execution of agreements
<u>126.</u>	Enforcement of things transferred
<u>127.</u>	Actions and other proceedings
<u>128.</u>	Limitation periods
<u>129.</u>	Certain rights not affected by transfer
<u>130.</u>	No new cause of action
<u>131.</u>	Conditions on exercise of powers
<u>132.</u>	Information
<u>133.</u>	Transfer orders, other matters
<u>134.</u>	Amendment of transfer order
<u>135.</u>	Exemptions from other Acts
<u>136.</u>	Limitations
<u>137.</u>	Pensions
<u>138.</u>	Other transfer orders

139. Provincial liability not limited

140. Regulations, Part X

PART XI

TRANSITION — MUNICIPAL ELECTRICITY UTILITIES

141. Interpretation, Part XI

142. Incorporation of municipal electricity businesses

143. No new commissions

144. Restriction on municipal electricity activity

145. Transfer by-laws

146. Description of things transferred

147. Employees

148. Reserve funds

149. Payment for transfer

150. Effective date of transfer

151. Statements in registered documents

152. Execution of agreements

153. Enforcement of things transferred

154. Actions and other proceedings

155. Limitation periods

156. Certain rights not affected by transfer

157. Information

158. Transfer by-laws, other matters

159. Exemptions from other Acts

160. Regulations, Part XI

161. Conflict with other Acts

PART XI.1

TRANSITION — ONTARIO POWER AUTHORITY, ONTARIO ENERGY BOARD, INDEPENDENT ELECTRICITY SYSTEM OPERATOR

161.1 Definitions, Part XI.1

161.2 Transfer orders

161.3 Application of provisions of Part X

161.4 Regulations

**PART I
GENERAL**

Purposes

1 The purposes of this Act include the following:

- (a) to ensure the adequacy, safety, sustainability and reliability of electricity supply in Ontario through responsible planning and management of electricity resources, supply and demand;

Appointment

(2) The Minister shall appoint the members of the advisory committee. 2004, c. 23, Sched. A, s. 3.

Section Amendments with date in force (d/m/y) [+]

**PART II
INDEPENDENT ELECTRICITY SYSTEM OPERATOR**

Definitions

4 In this Part,

“Independent Electricity System Operator” means, unless the context requires otherwise, the corporation continued under subsection 5 (1); (“Société indépendante d’exploitation du réseau d’électricité”)

“Ontario Power Authority” means the corporation established under subsection 25.1 (1) as that subsection read immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force and “OPA” has a corresponding meaning; (“Office de l’électricité de l’Ontario”, “OEO”)

“predecessor” means either the predecessor Independent Electricity System Operator or the Ontario Power Authority; (“entité remplacée”)

“predecessor Independent Electricity System Operator” means the Independent Electricity System Operator as the corporation was continued under subsection 4 (1) as that subsection read immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force. (“ancienne Société indépendante d’exploitation du réseau d’électricité”) 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Amalgamation of IESO and OPA**

5 (1) The predecessor Independent Electricity System Operator and the Ontario Power Authority are amalgamated and shall continue as one corporation without share capital in accordance with this Part. 2014, c. 7, Sched. 7, s. 3 (1).

Name of corporation

(2) The name of the corporation formed under subsection (1) is the Independent Electricity System Operator in English and Société indépendante d’exploitation du réseau d’électricité in French. 2014, c. 7, Sched. 7, s. 3 (1).

Composition

(3) The IESO is composed of the members of its board of directors. 2014, c. 7, Sched. 7, s. 3 (1).

Separation of functions

(4) The board of directors shall take such steps as it considers advisable and appropriate to ensure that there is an effective separation of functions and activities of the IESO relating to,

(a) its market operations; and

(b) its procurement and contract management activities. 2014, c. 7, Sched. 7, s. 3 (1).

Prohibition

(5) The IESO shall not conduct the operations of the IESO-administered markets in any manner that,

(a) unjustly advantages or disadvantages any market participant or class of market participants; or

(b) is inconsistent with this Act. 2014, c. 7, Sched. 7, s. 3 (1).

Transmission-related information

(6) The IESO shall provide transmission-related information on an equal basis and in the same manner to all market participants. 2014, c. 7, Sched. 7, s. 3 (1).

Confidentiality

(7) The board of directors shall ensure that appropriate procedures are established and maintained so that confidential information that is in the possession or control of any officers or employees of the IESO, or any agent or third party working on its behalf, is not inappropriately communicated. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Objects

6 (1) The objects of the IESO are,

- (a) to exercise the powers and perform the duties assigned to it under this Act, the regulations, directions, the market rules and its licence;
- (b) to enter into agreements with transmitters to give it authority to direct the operation of their transmission systems;
- (c) to direct the operation and maintain the reliability of the IESO-controlled grid to promote the purposes of this Act;
- (d) to participate in the development by any standards authority of criteria and standards relating to the reliability of the integrated power system;
- (e) to establish and enforce criteria and standards relating to the reliability of the integrated power system;
- (f) to work with the responsible authorities outside of Ontario to co-ordinate the IESO's activities with the activities of those authorities;
- (g) to operate the IESO-administered markets to promote the purposes of this Act;
- (h) to engage in activities related to contracting for the procurement of electricity supply, electricity capacity, electricity storage, transmission systems or any part of such systems and conservation resources;
- (i) to engage in activities related to settlements, payments under a contract entered into under the authority of this Act and payments provided for under this Act or the *Ontario Energy Board Act, 1998*;
- (j) to engage in activities in support of the goal of ensuring adequate, reliable and secure electricity supply and resources in Ontario;
- (k) to forecast electricity demand and the adequacy and reliability of electricity resources for Ontario for the short term, medium term and long term;
- (l) to conduct independent planning for electricity generation, demand management, conservation and transmission;
- (m) to engage in activities to facilitate the diversification of sources of electricity supply by promoting the use of cleaner energy sources and technologies, including alternative energy sources and renewable energy sources;
- (n) to engage in activities in support of system-wide goals for the amount of electricity to be produced from different energy sources;
- (o) to engage in activities that facilitate load management;
- (p) to engage in activities that promote electricity conservation and the efficient use of electricity;
- (q) to assist the Board by facilitating stability in rates for certain types of consumers;
- (q.1) to exercise the powers and rights and to perform the duties and obligations assigned to it under the *Ontario Fair Hydro Plan Act, 2017* and to engage in activities to facilitate the implementation of the *Ontario Fair Hydro Plan Act, 2017*, including,
 - (i) entering into agreements or arrangements with any person for the purposes of the *Ontario Fair Hydro Plan Act*,

2017,

- (ii) engaging in activities related to making payments to and receiving payments as contemplated under the *Ontario Fair Hydro Plan Act, 2017* and related settlement activities,
- (iii) engaging in activities related to the transfer and administration of the regulatory asset created under the *Ontario Fair Hydro Plan Act, 2017*, which activities may include,
 - (A) incurring liabilities in relation to the regulatory asset,
 - (B) transferring the regulatory asset under section 26 of the *Ontario Fair Hydro Plan Act, 2017* for consideration, and
 - (C) acting as a recovery agent under the *Ontario Fair Hydro Plan Act, 2017*;
- (r) to collect and make public information relating to the short term, medium term and long term electricity needs of Ontario and the adequacy and reliability of the integrated power system to meet those needs; and
- (s) to engage in such other objects as may be prescribed by the regulations. 2014, c. 7, Sched. 7, s. 3 (1); 2016, c. 10, Sched. 2, s. 3; 2017, c. 16, Sched. 1, s. 43 (1).

Not for profit

(2) The business and affairs of the IESO shall be carried on without the purpose of gain and any profits shall be used by the IESO for the purpose of carrying out its objects. 2014, c. 7, Sched. 7, s. 3 (1).

Capacity

(3) The IESO has the capacity, rights, powers and privileges of a natural person for the purpose of carrying out its objects, except as otherwise limited by this Act. 2014, c. 7, Sched. 7, s. 3 (1).

Limitation on powers, financial

(4) The IESO's powers to borrow, to invest its funds and to manage its financial assets, liabilities and risks are subject to such rules and restrictions as may be prescribed by the regulations. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Dissolution

7 If the IESO is dissolved, any property of the IESO remaining after the payment of all of its debts and liabilities is vested in the Crown in right of Ontario. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Not Crown agent

8 The IESO is not an agent of the Crown for any purpose, despite the *Crown Agency Act*. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Obligation to provide information in French

9 (1) The IESO shall make information that is directed to the general public available in French, including information with respect to programs, services and general communications. 2014, c. 7, Sched. 7, s. 3 (1).

Board to ensure compliance

(2) The IESO's board of directors shall take all reasonable measures and make all reasonable plans to ensure that the obligation placed on the IESO to make information directed to the general public available in French is met. 2014, c. 7, Sched. 7, s. 3 (1).

Limitation, general

(3) The IESO's obligation to make information available in French is subject to the limits that are reasonable in the circumstances. 2014, c. 7, Sched. 7, s. 3 (1).

Limitations, rules, manuals, etc.

(4) The IESO's obligation to make information available in French does not apply to the following:

1. Rules, manuals, standards, procedures or communications relating to the operation of the IESO-administered markets or the IESO-controlled grid.
2. Rules, contracts or other program information related to the procurement of,
 - i. electricity supply, capacity or storage,
 - ii. changes in electricity demand,
 - iii. measures related to the conservation of electricity,
 - iv. the management of electricity demand, or
 - v. transmission systems or any part of such systems. 2014, c. 7, Sched. 7, s. 3 (1); 2016, c. 10, Sched. 2, s. 4 (1, 2).

Application to microFIT program, etc.

(5) The exception in paragraph 2 of subsection (4) does not apply to information with respect to,

- (a) the microFIT Program; and
- (b) the rights and obligations of low-volume consumers under a conservation or demand management program. 2014, c. 7, Sched. 7, s. 3 (1).

Definitions

(6) In this section,

"low-volume consumer" has the same meaning as in section 56 of the *Ontario Energy Board Act, 1998*, as the definition reads on the day subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force; ("petit consommateur")

"microFIT Program" means the micro Feed-in Tariff Program that is continued under subsection 25.32 (10) and that permits certain consumers of electricity to develop very small renewable energy projects. ("Programme de TRG pour les micro-projets") 2014, c. 7, Sched. 7, s. 3 (1); 2016, c. 10, Sched. 2, s. 4 (3).

Section Amendments with date in force (d/m/y) [+]**Board of directors**

10 (1) The IESO's board of directors shall manage and supervise the management of the IESO's business and affairs. 2014, c. 7, Sched. 7, s. 3 (1).

Composition

(2) The board of directors shall be composed of,

(a) the chief executive officer of the IESO; and

(b) at least eight and not more than 10 additional individuals appointed by the Minister. 2014, c. 7, Sched. 7, s. 3 (1).

Directors to be independent

(3) Each director shall hold office as an independent director and not as a representative of any class of persons. 2014, c. 7, Sched. 7, s. 3 (1).

Restriction on persons who may be directors

(4) For the purposes of clause (2) (b), no person who is a member of a class of persons prescribed by the regulations may hold office as a director of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Term of office and appointment

(5) A director appointed in accordance with clause (2) (b) shall hold office at pleasure for an initial term not exceeding two years and, subject to subsection (4), may be reappointed for successive terms not exceeding two years each. 2014, c. 7, Sched. 7, s. 3 (1).

Quorum

(6) A majority of the members of the board of directors constitutes a quorum of the board. 2014, c. 7, Sched. 7, s. 3 (1).

Chair

(7) The board of directors shall appoint one of its members as chair of the board. 2014, c. 7, Sched. 7, s. 3 (1).

Ceasing to hold office

(8) A director ceases to hold office in the circumstances specified in the Governance and Structure By-law. 2014, c. 7, Sched. 7, s. 3 (1).

Vacancy on board

(9) If there are one or more vacancies on the board of directors, the remaining directors may exercise all the powers of the board if they would constitute a quorum of the board, if there were no vacancies. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Chief executive officer**

11 The board of directors shall appoint a chief executive officer of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Director's duties**

12 Every director of the IESO shall, in exercising and performing his or her powers and duties as a director,

(a) act honestly and in good faith in the best interests of the IESO; and

(b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Conflict of interest**

13 The directors, officers, employees and agents of the IESO shall comply with any provisions relating to conflict of interest contained in the Governance and Structure By-law or any procedures, rules or codes established pursuant to the By-law. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

13.1-13.2 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Board may establish policies, rules, etc.**

14 (1) The board of directors may establish policies, rules, guidelines and codes, including codes of conduct, applicable to the directors, officers, employees and agents of the IESO and to members of panels established by the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Conflict

(2) Any provision of a policy, rule, guideline or code that conflicts with this Act, the regulations or the IESO's by-laws is void. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

14.1 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Delegation of board's powers**

15 (1) The board of directors may, in accordance with the Governance and Structure By-law,

- (a) delegate any of its powers or duties to a committee of the board or a panel established by the board or to one or more directors; and
- (b) delegate any of its powers to manage the business and affairs of the IESO to one or more officers of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Terms, conditions and restrictions

(2) A delegation under subsection (1) is subject to any terms, conditions and restrictions set out in the delegation. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(3) A delegation under subsection (1) may be general or specific. 2014, c. 7, Sched. 7, s. 3 (1).

Exceptions

(4) The board of directors shall not delegate its power to make by-laws or to approve the financial statements or annual reports of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Panels**

16 (1) The board of directors may establish such panels as the board considers necessary for the purposes of this Act. 2014, c. 7, Sched. 7, s. 3 (1).

Testimony

(2) A member of a panel established for the purpose of resolving or attempting to resolve a dispute between market participants, or a dispute between one or more market participants and the IESO, shall not be required in any civil proceeding to give testimony with respect to information obtained in the course of resolving or attempting to resolve the dispute. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Staff and assistance re panels**

17 Subject to the by-laws of the IESO, a panel established by the board of directors may use the services of,

- (a) the IESO's employees, with the consent of the IESO; and
 - (b) persons other than the IESO's employees who have technical or professional expertise that is considered necessary.
- 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Stakeholder input**

18 (1) The IESO shall establish one or more processes by which consumers, distributors, generators, transmitters and other persons who have an interest in the electricity industry may provide advice and recommendations for consideration by the IESO.

2014, c. 7, Sched. 7, s. 3 (1).

Same, direction by Minister

(2) The Minister may direct the IESO to establish specific processes under subsection (1) and the IESO shall comply with such a direction. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Liability**

19 (1) No action or other civil proceeding shall be commenced against a director, officer, employee or agent of the IESO or a member of a committee or panel established by the board of directors of the IESO for any act done in good faith in the exercise or performance or the intended exercise or performance of a power or duty under any Act, the regulations under any Act, the IESO's licence, the IESO's by-laws or the market rules, or for any neglect or default in the exercise or performance in good faith of such a power or duty. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(2) Subsection (1) does not relieve the IESO of any liability to which it would otherwise be subject in respect of a cause of action arising from any act, neglect or default referred to in subsection (1). 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

19.1 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Confidential information relating to market participants**

20 (1) A record that contains information provided to or obtained by the IESO or a predecessor relating to a market participant and that is designated by the head of the IESO as confidential or highly confidential is deemed for the purpose of section 17 of the *Freedom of Information and Protection of Privacy Act* to be a record that reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization. 2014, c. 7, Sched. 7, s. 3 (1).

Definition

(2) In this section,

"head" means the person designated as the head of the IESO in the regulations made under the *Freedom of Information and*

Protection of Privacy Act, 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

20.1 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Liability of directors under the *Employment Standards Act, 2000*

21 Part XX of the *Employment Standards Act, 2000* does not apply to a director of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

By-laws

22 (1) The board of directors of the IESO may make by-laws regulating the business and affairs of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Governance and Structure By-law

(2) The board of directors shall ensure that it maintains a by-law dealing with matters of corporate governance and structure, including,

- (a) the appointment of the chief executive officer of the IESO;
- (b) the circumstances in which a director ceases to hold office;
- (c) the remuneration and benefits of the chair and the other members of the board;
- (d) conflict of interest;
- (e) the delegation of the IESO's powers and duties;
- (f) the establishment, composition and functions of panels;
- (g) such other matters as are prescribed by regulation or as are appropriate to the governance and structure of the corporation. 2014, c. 7, Sched. 7, s. 3 (1).

Amendment or repeal of Governance and Structure By-law

(3) A by-law that amends or repeals the Governance and Structure By-law shall be filed with the Minister by the board of directors. 2014, c. 7, Sched. 7, s. 3 (1).

Disallowance

(4) The Minister may disallow a by-law to which subsection (3) applies by written notice to the board of directors given within 60 days after the by-law is filed with the Minister. 2014, c. 7, Sched. 7, s. 3 (1).

Effective date

(5) A by-law to which subsection (3) does not apply comes into force on the day it is made or on such later date as may be specified in the by-law. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(6) Subject to subsections (4) and (7), a by-law to which subsection (3) applies comes into force on the earlier of the following dates:

1. The expiry of the 60-day period referred to in subsection (4).
2. The day on which the Minister notifies the board of directors in writing that he or she will not disallow the by-law. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(7) Subject to subsection (4), a by-law to which subsection (3) applies may specify that it comes into force on a day later than the day determined under subsection (6). 2014, c. 7, Sched. 7, s. 3 (1).

Conflict between by-laws

(8) In the event of a conflict between the Governance and Structure By-law and another by-law, the Governance and Structure By-law prevails. 2014, c. 7, Sched. 7, s. 3 (1).

Legislation Act, 2006, Part III

(9) Part III (Regulations) of the *Legislation Act, 2006* does not apply to by-laws made under this section. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Province may purchase securities, etc.**

23 (1) The Lieutenant Governor in Council may by order authorize the Minister of Finance to purchase securities of or make loans to the IESO in the amounts, at the times and on the terms and conditions as the Minister of Finance may determine subject to the maximum principal amount specified by the Lieutenant Governor in Council that may be purchased or advanced or that may be outstanding at any time and subject to any other terms and conditions that are specified by the Lieutenant Governor in Council. 2014, c. 7, Sched. 7, s. 3 (1).

Payment from C.R.F.

(2) The Minister of Finance may pay out of the Consolidated Revenue Fund any amount required for the purposes of subsection (1). 2014, c. 7, Sched. 7, s. 3 (1).

Delegation

(3) In an order under subsection (1), the Lieutenant Governor in Council may delegate any or all of the powers of the Minister of Finance under this section to,

- (a) a public servant employed under Part III of the *Public Service of Ontario Act, 2006* who works in the Ministry of Finance, other than in the office of the Minister of Finance;
- (b) the chief executive officer of the Ontario Financing Authority;
- (c) a public servant employed under Part III of the *Public Service of Ontario Act, 2006* who works in the Ontario Financing Authority;
- (d) a solicitor engaged to act for the Minister of Finance; or
- (e) a solicitor engaged to act for the Ontario Financing Authority. 2014, c. 7, Sched. 7, s. 3 (1).

Fees payable to Minister of Finance

(4) The IESO shall pay to the Minister of Finance such fees as are prescribed by the regulations in respect of securities purchased and sums loaned under this section. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Business plan**

24 (1) At least 120 days before the beginning of each fiscal year, the IESO shall submit its proposed business plan for the fiscal year to the Minister for approval. 2014, c. 7, Sched. 7, s. 3 (1).

Minister's approval

(2) The Minister may approve the proposed business plan or refer it back to the IESO for further consideration. 2014, c. 7, Sched. 7, s. 3 (1).

Transition, business plan

(3) Despite subsection (1) and when requested to do so by the Minister, the IESO shall submit a business plan in respect of its first full or partial fiscal year that occurs after subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures)*, 2014 comes into force within 30 days after the Minister requests the plan and the Minister may approve the proposed business plan or refer it back to the IESO for further consideration. 2014, c. 7, Sched. 7, s. 3 (1).

Transition, Minister's discretion

(4) The Minister shall exercise his or her discretion to request that the IESO submit a business plan under subsection (3), solely where, in the Minister's opinion, there is insufficient time for the IESO to comply with subsection (1). 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Review of requirements and fees**

25 (1) The IESO shall, at least 60 days before the beginning of each fiscal year, submit its proposed expenditure and revenue requirements for the fiscal year and the fees it proposes to charge during the fiscal year to the Board for review, but shall not do so until after the Minister approves the IESO's proposed business plan for the fiscal year under section 24. 2014, c. 7, Sched. 7, s. 3 (1).

Previous fees continued

(2) Until the Board approves the proposed expenditure and revenue requirements for the fiscal year and the fees the IESO proposes to charge during the fiscal year, the fees approved for the previous fiscal year remain in effect unless the Board orders otherwise. 2014, c. 7, Sched. 7, s. 3 (1).

Exception

(3) Where the IESO is unable to make its submission under subsection (1) within the time required under that subsection, the IESO shall file its proposed expenditure and revenue requirements for the fiscal year and the fees it proposes to charge during the fiscal year to the Board for review as soon as possible after the Minister has approved its business plan under section 24. 2014, c. 7, Sched. 7, s. 3 (1).

Board's powers

(4) The Board may approve the proposed expenditure and revenue requirements and the proposed fees or may refer them back to the IESO for further consideration with the Board's recommendations. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(5) In reviewing the IESO's proposed expenditure and revenue requirements and proposed fees, the Board shall not take into consideration the remuneration and benefits of the chair and other members of the board of directors of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Changes in fees

(6) The IESO shall not, without the approval of the Board,

- (a) establish, eliminate or change any fees it has established; or
- (b) eliminate or change any fees established by a predecessor that remain in effect. 2014, c. 7, Sched. 7, s. 3 (1).

Hearing

(7) The Board may hold a hearing before exercising its powers under this section, but is not required to do so. 2014, c. 7, Sched. 7, s. 3 (1).

Transition, initial fiscal year

(8) Despite subsection (1), the IESO shall submit its proposed expenditure and revenue requirements for its first full or partial fiscal year that occurs after subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force and the fees it proposes to charge during that full or partial fiscal year to the Board for review not later than 30 days after the Minister approves the IESO's proposed business plan for that full or partial fiscal year under subsection 24 (3), but shall not submit its proposed expenditure and revenue requirements until after the Minister approves the proposed business plan. 2014, c. 7, Sched. 7, s. 3 (1).

Transition, fees

(9) Until the Board approves the proposed expenditure and revenue requirements for the IESO's first full or partial fiscal year that occurs after subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force and the fees the IESO proposes to charge during that full or partial fiscal year, the IESO shall continue to charge the fees that were approved by the Board and that applied to its predecessors immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force. 2014, c. 7, Sched. 7, s. 3 (1).

Transition, orders

(10) For greater certainty, the Board's orders relating to the predecessors' expenditure and revenue requirements and fees for their fiscal year that applied immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force continue to be in effect until the Board approves the first expenditure and revenue requirement and fees for the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Fees

25.1 (1) The IESO may establish and charge fees to recover,

- (a) the costs of anything done in connection with the IESO-controlled grid or the IESO-administered markets;
- (b) the costs of doing anything the IESO is required or permitted to do under this or any other Act; and
- (c) any other type of expenditure the recovery of which is permitted by the regulations, subject to any limitations and restrictions set out in the regulations. 2014, c. 7, Sched. 7, s. 3 (1).

May recover costs of procurement contracts

(2) For greater certainty, the IESO may, subject to the regulations, establish and impose charges to recover from consumers its costs and payments related to procurement contracts. 2014, c. 7, Sched. 7, s. 3 (1).

Board deemed to approve recovery

(3) The IESO's recovery of its costs and payments related to procurement contracts is deemed to be approved by the Board. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Auditor

25.2 (1) The board of directors of the IESO shall appoint one or more auditors licensed under the *Public Accounting Act, 2004* to audit annually the accounts and transactions of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Auditor General

(2) The Auditor General may audit the accounts and transactions of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

Annual report

25.3 (1) The IESO shall, within 90 days after the end of every fiscal year, submit to the Minister an annual report on its affairs during that fiscal year, signed by the chair of its board of directors. 2014, c. 7, Sched. 7, s. 3 (1).

Financial statements

(2) The audited financial statements of the IESO shall be included in the annual report. 2014, c. 7, Sched. 7, s. 3 (1).

Tabling

(3) The Minister shall submit the annual report to the Lieutenant Governor in Council and shall then table the report before the Assembly if it is in session or, if not, deposit the report with the Clerk of the Assembly. 2014, c. 7, Sched. 7, s. 3 (1).

Other persons

(4) The IESO may give its annual report to other persons before the Minister complies with subsection (3). 2014, c. 7, Sched. 7, s. 3 (1).

Transition, annual reports

(5) The board of directors shall prepare and deliver the annual report for the last fiscal year of each of the predecessor Independent Electricity System Operator and the Ontario Power Authority within 90 days after the day subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures)*, 2014 comes into force. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Other reports**

25.4 (1) The IESO shall submit to the Minister such reports and information as the Minister may require from time to time and shall, if required by the Minister to do so, examine, report and advise on any question respecting electricity. 2014, c. 7, Sched. 7, s. 3 (1); 2016, c. 10, Sched. 2, s. 5.

Same

(2) The IESO shall submit to the Minister of Finance such reports and information as the Minister of Finance may require from time to time. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Information to Board, etc.**

25.5 (1) The IESO shall provide the Board and the Market Surveillance Panel with such information as the Board or Panel may require from time to time. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(2) Without limiting the generality of subsection (1), the IESO shall provide the Board and the Market Surveillance Panel with such information relating to any actual or potential conflict of interest related to the actions, operations or functions of the IESO as the Board or Panel may require from time to time. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Application of corporations statutes**

25.6 Except as otherwise provided by the regulations, the *Business Corporations Act*, the *Corporations Act* and the *Corporations Information Act* do not apply to the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Note: On the later of the day subsection 4 (1) of the *Not-for-Profit Corporations Act, 2010* comes into force and the

day subsection 3 (1) of Schedule 7 to the Building Opportunity and Securing Our Future Act (Budget Measures), 2014 comes into force, section 25.6 is amended by striking out “the Corporations Act” and substituting “the Not-for-Profit Corporations Act, 2010”. (See: 2014, c. 7, Sched. 7, ss. 3 (2), 17 (2))

Section Amendments with date in force (d/m/y) [+]

Statutory Powers Procedure Act

25.7 The *Statutory Powers Procedure Act* does not apply to a proceeding before the IESO, its board of directors or any committee, panel, person or body to which a power or duty has been delegated under this Part. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

TRANSITIONAL MATTERS

Transition, corporate matters

25.8 (1) The following occur when subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force:

1. The predecessor Independent Electricity System Operator and the Ontario Power Authority cease to exist as entities separate from the IESO.
2. All rights, property and assets that belong to the predecessor Independent Electricity System Operator and the Ontario Power Authority immediately before the subsection comes into force become the rights, property and assets of the IESO.
3. All outstanding debts, liabilities and obligations of the predecessor Independent Electricity System Operator and the Ontario Power Authority immediately before the subsection comes into force become the debts, liabilities and obligations of the IESO.
4. The members of the boards of directors of the predecessor Independent Electricity System Operator and the Ontario Power Authority holding office immediately before the subsection comes into force cease to be members of their respective board of directors when the subsection comes into force, but nothing in this paragraph prevents them from being appointed to the board of directors of the IESO.
5. An individual who ceases to hold office as director by reason of paragraph 4 has no right of recourse against the Crown or any person.
6. The by-laws of the predecessor Independent Electricity System Operator in effect immediately before the subsection comes into force become the by-laws of the IESO.
7. Any licence issued by the Board to the predecessor Independent Electricity System Operator or the Ontario Power Authority in effect immediately before the subsection comes into force is deemed to be a licence issued by the Board to the IESO and remains in effect until amended or revoked.
8. An agreement, security, licence, approval, permit or other instrument to which the predecessor Independent Electricity System Operator or the Ontario Power Authority is a party immediately before the subsection comes into force has effect after the subsection comes into force as if,
 - i. the IESO were substituted for the predecessor Independent Electricity System Operator or the Ontario Power Authority, as the case requires, as a party to the agreement, security, licence, approval, permit or other instrument, and
 - ii. any reference in the agreement, security, licence, approval, permit or other instrument to the predecessor Independent Electricity System Operator or the Ontario Power Authority were a reference to the IESO.

9. The IESO is a party to each on-going proceeding to which the predecessor Independent Electricity System Operator or the Ontario Power Authority is a party immediately before the subsection comes into force, replacing the predecessor Independent Electricity System Operator or the Ontario Power Authority, as the case may be.
10. Any direction issued by the Minister under section 25.32 or 25.35, as those provisions read immediately before the subsection comes into force, remains in full force and in effect in respect of the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Same, par. 3 of subs. (1)

(2) The operation of paragraph 3 of subsection (1),

- (a) does not constitute a breach, termination or repudiation of the debt, liability or obligation or the frustration of any agreement related to the debt, liability or obligation or an event of default or force majeure; and
- (b) does not constitute or give rise to any estoppel or any right to terminate or repudiate an agreement related to the debt, liability or obligation. 2014, c. 7, Sched. 7, s. 3 (1).

Same, par. 8 of subs. (1)

(3) The operation of paragraph 8 of subsection (1),

- (a) does not constitute a breach, termination or repudiation of the agreement, security, licence, approval, permit or other instrument or the frustration of the agreement or an event of default or force majeure; and
- (b) does not constitute or give rise to any estoppel or any right to terminate or repudiate an agreement, security, licence, approval, permit or other instrument. 2014, c. 7, Sched. 7, s. 3 (1).

Same, references

(4) A reference to the predecessor Independent Electricity System Operator or the Ontario Power Authority in any by-law, resolution, agreement or other document shall be read as if it were a reference to the IESO. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Transition, employment matters**

25.9 (1) All individuals who were employees of the predecessor Independent Electricity System Operator or the Ontario Power Authority immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures)*, 2014 comes into force become employees of the IESO when the subsection comes into force. 2014, c. 7, Sched. 7, s. 3 (1).

Agreements

(2) All employment agreements to which the predecessor Independent Electricity System Operator or the Ontario Power Authority was a party and that were in effect immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures)*, 2014 comes into force continue in effect after the subsection comes into force as if the IESO were substituted for the predecessor Independent Electricity System Operator or the Ontario Power Authority, as the case may be, as a party to the agreement. 2014, c. 7, Sched. 7, s. 3 (1).

Same

(3) The operation of subsections (1) and (2) does not constitute a breach, termination, repudiation or the frustration of an employment agreement. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]**Transition, governance and other matters**

25.10 (1) This section applies in respect of the governance of the IESO and other matters concerning the IESO on the day subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force. 2014, c. 7, Sched. 7, s. 3 (1).

Chief executive officer

(2) Despite sections 11 and 25.9, the chief executive officers of the predecessors cease to hold office on the day subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force and the Minister shall appoint the first chief executive officer of the IESO, but nothing in this subsection prevents the board of directors of the IESO from appointing any subsequent chief executive officer. 2014, c. 7, Sched. 7, s. 3 (1).

Panels

(3) A panel established under section 13 or 25.10 as they read immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force is continued after that subsection comes into force and is deemed to be a panel established by the IESO board of directors under subsection 16 (1). 2014, c. 7, Sched. 7, s. 3 (1).

Stakeholder input

(4) Any process established under section 13.2 or 25.12 as they read immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force is continued after that subsection comes into force and is deemed to be a process established by the IESO under section 18. 2014, c. 7, Sched. 7, s. 3 (1).

Fees

(5) Any fee payable to a predecessor that remains unpaid on the day subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force is payable to the IESO at the same time and on the same terms as if the IESO were the predecessor. 2014, c. 7, Sched. 7, s. 3 (1).

Market rules

(6) Any market rule established under section 32 as it read immediately before subsection 3 (1) of Schedule 7 to the *Building Opportunity and Securing Our Future Act (Budget Measures), 2014* comes into force remains in effect after that subsection comes into force and is deemed to be a market rule established by the IESO until it is amended or revoked in accordance with this Act. 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

PART II.1 (SS. 25.1-25.28) REPEALED: 2014, C. 7, SCHED. 7, S. 3 (1).

25.11 REPEALED: 2009, c. 12, Sched. B, s. 3.

Section Amendments with date in force (d/m/y) [+]

25.12-25.15 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.16 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.17, 25.18 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.19 REPEALED: 1998, c. 15, Sched. A, s. 25.19 (3).

Section Amendments with date in force (d/m/y) [+]

25.20 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.21 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.22 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.23 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

25.24 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [-]

2004, c. 23, Sched. A, s. 32 - 20/12/2004

2008, c. 7, Sched. G, s. 3 - 14/05/2008

2014, c. 7, Sched. 7, s. 3 (1) - 01/01/2015

25.25-25.28 REPEALED: 2014, c. 7, Sched. 7, s. 3 (1).

Section Amendments with date in force (d/m/y) [+]

**PART II.2
PLANNING, PROCUREMENT AND PRICING**

Long-term energy plans

25.29 (1) At least once during each period prescribed by the regulations, the Minister shall, subject to the approval of the Lieutenant Governor in Council, issue a long-term energy plan setting out and balancing the Government of Ontario's goals and objectives respecting energy for the period specified by the plan. 2016, c. 10, Sched. 2, s. 7.

Same

(2) For the purposes of subsection (1), a long-term energy plan may include goals and objectives respecting,

- (a) the cost-effectiveness of energy supply and capacity, transmission and distribution;
- (b) the reliability of energy supply and capacity, transmission and distribution, including resiliency to the effects of climate change;
- (c) the prioritization of measures related to the conservation of energy or the management of energy demand;
- (d) the use of cleaner energy sources and innovative and emerging technologies;